

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
4:17-CR-26-BR

UNITED STATES OF AMERICA

v.

SERGIO MENDOZA-GOMEZ,

Defendant.

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ORDER

This case comes before the court on the government's motion (D.E. 12) to amend the court's 8 December 2017 Order (D.E. 8) ordering defendant to be evaluated for mental competency by at least one qualified psychiatrist, pursuant to 18 U.S.C. § 4241(b). The government was advised by the Bureau of Prison's regional counsel that there are no forensic psychiatrists available to perform a competency evaluation and requests that a forensic psychologist be allowed to perform the evaluation instead. Mot. 1.

Defendant opposes the motion on the basis that he would also like to "be examined by a psychiatrist or other medical doctor in order to evaluate any physical injury or condition relevant to the [] competency evaluation." Resp. (D.E. 13) 2. The government does not object to defendant's request.

For good cause shown, the court's 8 December 2017 Order is amended, as follows:


1. The examination required to be performed may be conducted by a qualified psychologist.
2. Defendant shall also be examined by a psychiatrist or other medical doctor in order to assess any physical injury or condition relevant to the evaluation of his competency.

3. The joint status report originally due on 22 December 2017 shall be due no later than 2 January 2018.

4. The second joint status report originally due on 19 January 2018 shall be due no later than 30 January 2018.

5. Except as modified herein, the provisions of the 8 December 2017 Order shall remain in full force and effect.

SO ORDERED, this 18th day of December 2017.



James E. Gates
United States Magistrate Judge